

Remarks

Claims 44-63 were pending. Claims 44, 48, 51, 52, 56, 57, and 58 have been amended while claims 46, 47, 53, 54, and 59-62 have been cancelled. No new matter has been added. Applicants assert that all claims are in condition for allowance as set forth more fully below.

102 Rejections

It is somewhat ambiguous as to the 102 Rejections because the Office Action states that the claims are rejected by Chastain (US 6,502,022) but then the discussion of the rejections does not involve Chastain but instead involves Yamamoto (US 2002/0142803). Because it is only Yamamoto that has been applied, Applicants have only addressed rejections based on Yamamoto. Applicants respectfully traverse these rejections to the extent they apply to the currently pending claims.

The independent claims now recite that there is a location determined for the communications device and a location determined for the vehicle and that there is a comparison made as to these locations. Yamamoto does not disclose such recitations.

Yamamoto discloses that the communications device being brought into range of the communication system of the vehicle results in the communications device and the communications system establishing a communication link which can result in the communications device entering a handsfree mode. However, two communications devices coming into range of one another to thereby establish a communication link is NOT determining a location of each of the communications devices and comparing those locations. There is no disclosure of any location of the vehicle being compared to that of the communications device in Yamamoto. The closest Yamamoto comes to this is having a navigation system in the vehicle which can determine the location of the vehicle. However, there is no disclosure whatsoever that the location of the vehicle as determined by the navigation system is compared to a location of the mobile communications device. Furthermore, relative to claims 52 and 58, to the extent the navigation system of the vehicle is a GPS system, there is still no disclosure that a location of the vehicle as determined by the GPS system is used in a comparison of the location of the mobile communications device when enabling hands free mode.

Accordingly, claims 44, 45, 48-52, 55-58, and 63 include recitations not disclosed by Yamamoto. Therefore, these claims are allowable over Yamamoto for at least these reasons.

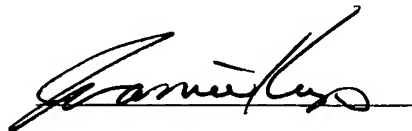
Conclusion

Applicants assert that the application including claims 44, 45, 48-52, 55-58, and 63 is in condition for allowance. Applicants request reconsideration in view of the amendment and remarks above and further request that a Notice of Allowability be provided. Should the Examiner have any questions, please contact the undersigned.

No fees are believed due beyond a one month extension. However, please charge any additional fees or credit any overpayment to Deposit Account No. 50-3025.

Respectfully submitted,

Date: January 9, 2006

A handwritten signature in black ink, appearing to read "Jeramie J. Keys", written over a horizontal line.

Jeramie J. Keys
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